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Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division, Department of Justice,
601 D Street NW, Washington, DC 20530

Subject: Proposed Microsoft Antitrust Settlement

Dear Attorney Hesse:

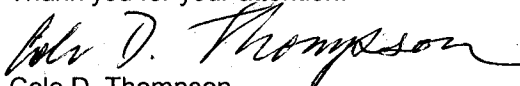
As a Senior Web Developer for Kaiser Permanente, one of the nation's largest healthcare providers, I am deeply concerned about the proposed settlement for the Microsoft antitrust case. For about the last five years, I have noticed that truly innovative technologies from small companies in the computing industry have tended to be withdrawn from the marketplace, apparently due to pressure or threats from Microsoft. During this same five years, the cost of Microsoft software has steadily increased, even allowing for inflation, while the cost of other companies' software (Sun Microsystems, Oracle, Sybase, Borland and many more) has almost without exception decreased quite dramatically. The costs of doing business as a software company have not increased during this time. The only reason Microsoft has bucked the overall trend toward less expensive software is that Microsoft enjoys monopoly power, and dictates prices to computer vendors. These arbitrarily increased costs are ultimately borne by American consumers. Consumers and businesses are damaged in just the same way that they would be if the cost of gasoline were doubled.

At a minimum, I see the following items as required for any meaningful remedy of Microsoft's conduct:

- Obligate Microsoft to include support for the Java platform in Windows, as asked for by the attorneys general of California and other states.
- Require Microsoft to make available to the general public (not just selected companies that Microsoft likes) the full details of formats used for storing data in files and databases.
- Require Microsoft to make available to the general public (not just selected companies that Microsoft likes) the full details of any networking protocols it uses to communicate between computers.

The importance of the last two points cannot be overstated. The most credible competition to Microsoft is coming from software developed in non-profit settings such as university labs and loosely-knit cooperative consortiums (the so-called "Open Source" community). The proposed settlement would deliberately exclude these most promising sources of competition from access to Microsoft file and network protocol information, which would be a grievous error at this stage of remediation.

Thank you for your attention.


Cole D. Thompson
Senior Web Developer, Kaiser Permanente